

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHANE WATSON,

Petitioner,

-V.-

CHRISTOPHER ARTUZ

Respondent.

## ORDER TO ANSWER

99 Civ. 1364 (PAE)(GWG)

**GABRIEL W. GORENSTEIN**, United States Magistrate Judge.

Pursuant to a mandate from the United States Court of Appeals for the Second Circuit, petitioner Shane Watson has filed a second or successive petition in this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. See Docket ## 81-82. In accordance with Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, I have considered the petition (Docket # 82-1) preliminarily and direct that respondent shall file either an answer or, if respondent has a basis on which to seek to have the petition denied or dismissed that does not require an answer, a motion with respect to the petition:

- (1) respondent shall file such answer or motion on or before December 19, 2023.
- (2) the answer or motion shall include an affidavit describing any facts relevant to the answer or motion and all documents necessary for the adjudication of this matter, including but not limited to transcripts of any relevant proceedings, the briefs submitted on appeal, the record in any state post-conviction proceedings, and such other information as may be necessary for this Court to adjudicate the petition;
- (3) the submission shall include a memorandum of law fully describing the factual and legal basis underlying the respondent's opposition and each statement of fact therein shall be accompanied by a citation to the appropriate transcript, affidavit or document by paragraph or page number;

(4) petitioner shall have thirty (30) days from the date on which he is served with respondent's answer or motion to file a response or traverse.

The Clerk of Court is directed to serve a copy of this Order, the Second Circuit Mandate (Docket 82) and the Petition (Docket # 82-1) on the Attorney General of the State of New York

SO ORDERED.

Dated: New York, New York  
October 20, 2023

  
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GABRIEL W. CORENSTEIN  
United States Magistrate Judge